IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CIVIL SECOND APPEAL NO.124/06

Ram Narain **Versus** Jaipur Nagar Nigam

DATE OF ORDER :: 10/07/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. B.L. Agrawal, for appellant

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Instant appeal has been filed by plaintiff-appellant assailing the order of learned trial Judge and so also of learned First Appellate Court whereby his relief for permanent injunction has been rejected.

Learned trial Judge after taking into consideration the material decided issue No.1 against the plaintiff-appellant and finally dismissed the suit – against which appeal was preferred and that too has been dismissed. The concurrent finding has been recorded by both the courts below after adjudicating issue No.1.

The submission made by counsel is nothing but re-appreciation of evidence which has been affirmed by learned First Appellate Court as well. Even otherwise, concurrent finding of fact has been recorded by both the courts below after adjudication, no legal issue is involved in the instant appeal which calls for any interference.

Consequently, the appeal fails and is hereby dismissed.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.